

Senate Bill 38

By: Senators Orrock of the 36th, James of the 35th, Tate of the 38th, Davenport of the 44th,
Sims of the 12th and others

A BILL TO BE ENTITLED
AN ACT

To amend Article 3 of Chapter 29A of Title 33 of the Official Code of Georgia Annotated, relating to individual health insurance coverage, so as to provide that individual accident and sickness insurance policies in Georgia that have been approved for issuance in other states contain the same state mandated health benefits; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 3 of Chapter 29A of Title 33 of the Official Code of Georgia Annotated, relating to individual health insurance coverage, is amended by revising Code Section 33-29A-32, relating to authorizing insurers to offer individual accident and sickness insurance policies in Georgia that have been approved for issuance in other states, as follows:

"33-29A-32.

The Commissioner shall approve for sale in Georgia any individual accident and sickness insurance policy that is currently approved for issuance in another state where the insurer or the insurer's affiliate or subsidiary is authorized to transact insurance so long as the insurer or the insurer's affiliate or subsidiary filing and ~~issuance~~ issuing such policy in Georgia is also authorized to transact insurance in this state pursuant to Chapter 3 of this title and provided that any such policy ~~meets the requirements set forth in this article.~~ ~~Additionally, any insurer authorized to transact insurance in this state can offer an individual accident and sickness insurance policy with benefits equivalent to those in any policy approved for sale in Georgia under this article, provided that any such offered policy meets the requirements set forth in this article~~ includes all those health benefits mandated by this title to be provided as components of individual accident and sickness insurance sold under Chapter 29 of this title."

SECTION 2.

Said article is further amended by revising Code Section 33-29A-34, relating to certain language required in policies and policy applications for individual health insurance coverage, as follows:

"33-29A-34.

(a) Each written application for a policy sold pursuant to this article shall contain the following language in boldface type at the beginning of the document:

'The benefits of this policy may primarily be governed by the laws of a state other than Georgia; therefore, all of the laws applicable to policies filed in this state may not apply to this policy. Any purchase of individual health insurance should be considered carefully since future medical conditions may make it impossible to qualify for another individual health insurance policy.'

(b) Each policy sold pursuant to this article shall contain the following language in boldface type at the beginning of the document:

'The benefits of this policy providing your coverage may be governed primarily by the laws of a state other than Georgia. ~~The benefits covered may be different from other policies you can purchase.~~ However, the benefits of this policy are equivalent to similar policies governed by the laws of the State of Georgia. Please consult your insurance agent or insurer to determine which health benefits are covered under this policy.'

~~(c) Each individual accident and sickness policy sold pursuant to this article shall contain a side-by-side chart that compares the definitions of each benefit covered by the policy that has been sold in the other state with the definitions of the benefits covered under current Georgia laws and regulations where the specified benefit is similarly termed but defined differently."~~

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.